

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
IN ADMIRALTY

FREEDOM BOAT CLUB, LLC,
as owner, for exoneration from or limitation
of liability, of a 2019 Scout 210 Dorado
Vessel, Hull ID No. SLPGS494E819

Petitioner,

Case No. 2:21-cv-95-SPC-NPM

NOTICE AND INJUNCTION

TO THE MARSHAL OF THE UNITED STATES OF AMERICA FOR THE
UNITED STATES DISTRICT COURT OF THE MIDDLE DISTRICT OF
FLORIDA:

WHEREAS, a Complaint for Exoneration From or Limitation of Liability was
filed in the United States District Court of the Middle District of Florida on February
4, 2021, by Petitioner, FREEDOM BOAT CLUB LLC, as owner of a 2019 Scout
210 Dorado Vessel, bearing Hull Identification No. SLPGS494E819, claiming the
benefit of exoneration from or limitation of liability according to law and as provided
in 46 U.S.C. §30501 *et seq.* and Supplemental Rule F, and the statutes supplemental
thereto and amendatory thereof, and also contesting liability independently of the
limitation of liability claimed in said Petition for any loss, damage or injury arising
out of or occurring on or about August 7, 2020, as described in the Petition for
Exoneration from or Limitation of Liability, and said Petition also stating the facts

and circumstances upon which said exoneration from or limitation or liability is claimed, and Letter of Undertaking, dated February 4, 2021, executed for no more than the amount of Thirty Four Thousand Nine-Hundred and Sixty Dollars (\$34,960.00) with interest thereon at six percent (6%) per annum having been filed herein, and

WHEREAS, this Court has Ordered that said Letter of Undertaking is approved and shall stand as security for all claims against Petitioner and a 2019 Scout 210 Dorado Vessel, bearing Hull Identification No. SLPGS494E819 in this proceeding, and

WHEREAS, this Court has Ordered that Notices issue out of and under the seal of this Court against all persons claiming damages for any and all loss, damage or injury arising out of or occurring on or about August 7, 2020, on navigable waters of Bonita Springs, Florida as described in the Petition for Exoneration from or Limitation of Liability, citing them to appear before and to file their claims with the Clerk of this Court in writing and under oath, and to serve copies thereof upon attorneys for the Petitioner **on or before April 15, 2021**, and directing that any such persons, or their representatives, claiming damages as aforesaid who shall desire to contest the claim of Petitioner, shall answer said Petition, and

WHEREAS the Petitioner seeks protection against suits outside of this limitation proceeding as permitted by 46 U.S.C. § 30501 *et seq.*, and Supplemental Rule F, and the Court having granted an injunction against such suits,

YOU ARE, THEREFORE, COMMANDED to cite all persons claiming damages for any and all loss, damage, injury, death, and destruction arising out of or occurring on or about August 7, 2020, in the navigable waters of Bonita Springs, Florida as described in the Petition for Exoneration from or Limitation of Liability, to appear before this Honorable Court and to file their claims with the Clerk of this Court in writing and under oath, and to serve copies thereof upon Richard J. McAlpin of MCALPIN CONROY, P.A., Attorneys for Petitioner, 80 SW 8th Street, Suite 2805, Miami, Florida 33130, **on or before April 15, 2021**, and if any such persons or their personal representatives shall desire to contest the claims of Petitioner, to file an Answer to said Petition for Exoneration from or Limitation of Liability on or before the said date, or within such further time as this Court may grant, and to have such other and further relief as may be due them.

Dated February 18, 2021.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE